TABLE OF CONTENTS
SH#2277326

Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 11-18-10	Bureau/Station/Facility: Compton Station	Admin. Invest.? ☐	Hit? ☐

Incident Information

URN: 910-20012-2823-042	Date: 11-17-10 Time: 0910
City or Station: Compton	Nature of Incident: See Attached
Location: [redacted] Oaks Street, Compton	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, Street, Other: driveway

Lighting (*circle only one*): Darkness, **Daylight**, Other, Street Lights

Weather (*circle only one*): **Clear**, Cloudy, Fog, Rain

Distance: 25 feet

Incident Type (*circle one or more*): Accidental, **Armed Person**, Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: ____

Initiated by (*circle only one*): Arrest Warrant, Call, **Observation**, One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **Routine Patrol**

Aero Unit? ☒ Canine Unit? ☒

Total # of Shots Fired by Deputy: 2

Total # of Shots Fired by Suspect: 0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Werner	John		EM PM **Day**	**Regular** Overtime Off Duty
[redacted]	Delatorre	Braulio		EM PM **Day**	**Regular** Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name		First Name		M.I.
[redacted]		[redacted]		
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Last Name		**First Name**		**M.I.**
[redacted]		[redacted]		
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Last Name		**First Name**		**M.I.**
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	Regalado	Raul		**On Duty**, Witness to shooting, **Present during shooting**, **Involved in shooting**
				On Duty, Witness to shooting, Present during shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Martinez	Richard	

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Francisco	Holly	

PSTD Use Only

SH # ____

Officer Involved Shooting

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
11-17-10	1040		

Employee #	Last Name	First Name	M.I
[redacted]	Flores	Carlos	
[redacted]	Strong	Eric	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious

(RM) Refused Med Treatment

(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
E#1	S#1	FH	BR	9M	Y	Y	NN	NN

Officer Involved Shooting
Involved Employee Information

URN: 910-20012-2823-042

Involved Employee

E 1

Employee # [redacted]	Last Name Regalado	First Name Raul	M.I.
Sex: M Race: Hispanic	Rank Sergeant	Unit Assignment: Compton	Work Assignment (Unit #, Module, etc.): 280S
ShiftTime (*circle only one*): EM PM **Day**	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # Interviewed? ☐
Hrs of sleep prior to shooting: 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, **Uniform w/ Vest**	Other Factors:
Age: [redacted] Height: 510	Weight: 225		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted] Prior Shootings? [redacted]	Number of Prior Shootings: 1 Directed Force: [redacted]
Weapons Fired Brand: Beretta Caliber 9M # Shots 2		Weapons Fired Brand: Caliber # Shots	
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: Prior Shootings? ☐	Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand: Caliber # Shots		Weapons Fired Brand: Caliber # Shots	
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: Prior Shootings? ☐	Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand: Caliber # Shots		Weapons Fired Brand: Caliber # Shots	
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 910-20012-2823-042

Suspect Information

S 1

Last Name: Merritt	First Name: Sean	M.I.
AKA Last Name	First Name	M.I.
Sex: M Race: Black	Street Address: [redacted] City [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted] Social Security #: [redacted]	Driver's License #: [redacted]
Age: 21 D.O.B. 04-14-89	Height: 509 Weight: 220 FBI # [redacted]	CII # [redacted]
Booking # 2549706	Primary Charge: 211PC	Secondary Charge:
Coroner Case? ☐	Coroner Case # Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☒ Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: Pontiac	Model: Grand Am	Year: 2007

S ___

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone: Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight: FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case # Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐ Mental Illness? ☐	Criminal History? ☐
Vehicle Make	Model:	Year:

S ___

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone: Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight: FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case # Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐ Mental Illness? ☐	Criminal History? ☐
Vehicle Make	Model:	Year:

S ___

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone: Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight: FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case # Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐ Mental Illness? ☐	Criminal History? ☐
Vehicle Make	Model:	Year:

See Other Side

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED SHOOTING: NON HIT
SH# 2277326
URN 910-20012-2823-042

DATE / TIME / LOCATIONS

Wednesday, November 17, 2010
0920 hours
[redacted] Oaks Street, Compton

On Wednesday, November 17, 2010, at approximately 0920 hours, Sergeant Raul Regalado, working Unit 280S, was traveling south on Long Beach Boulevard. Sergeant Regalado was driving his patrol vehicle, a black and white Chevrolet Tahoe (Vehicle Number SD4952). As Sergeant Regalado approached Oaks Street, he observed a black male, later identified as Suspect Sean Merritt, running away from a business located on the west side of the street. The suspect was running south on the west sidewalk. Based on the suspect's actions, Sergeant Regalado formed the opinion that the suspect had just committed a robbery.

> **IAB Note:** It was later determined that Suspect Merritt had just committed a strong arm robbery. He had forcefully taken a necklace and pendant from a women's neck. The necklace was found on his person at the time of his arrest. The incident was documented in an Incident Report authored by Deputy Joel Macias #[redacted] A copy of the Incident Report is included in this case book. See **Exhibit A**.

Sergeant Regalado observed the suspect turn west on Oaks Street and enter the passenger side of a vehicle (White Pontiac Grand Am, Plate Number [redacted], which was parked on Oaks Street, west of Long Beach Boulevard. The vehicle left the location westbound at a high rate of speed. Sergeant Regalado turned west on Oaks Street and observed that the suspect vehicle was forced to slow down, due to a large trash truck traveling slowly on that street.

Sergeant Regalado activated his overhead lights and siren, in order to initiate a traffic stop of the vehicle. The vehicle pulled over, coming to a stop in front of [redacted] Oaks Street. The vehicle contained two occupants, Suspect Merritt, and the driver, Witness [redacted] (MB/19). Sergeant Regalado detained the suspects at gunpoint, and initiated emergency radio traffic, requesting assistance. While awaiting for assisting units, Sergeant Regalado remained behind the driver's side door of his vehicle, facing west.

> **IAB Note:** Regional and neighborhood maps of the area are included in this case book. See **Exhibit D**.

As Sergeant Regalado detained the suspects, he ordered them to keep their hands up. Both suspects initially complied, but Suspect Merritt quickly became uncooperative. Sergeant Regalado observed Suspect Merritt lowering his hands and moving around inside the vehicle. Sergeant Regalado continuously shouted to the suspects to keep their hands up, but only the driver was complying.

Unit 287, Deputies John Werner and Braulio De La Torre, were the first to arrive to the location. Due to their location when Sergeant Regalado's initiated his assistance request, and their desire to arrive quickly, the deputies arrived facing east on Oaks Street. Upon their arrival, they stopped their patrol vehicle (Vehicle Number SD5342) southwest of the suspect's vehicle, approximately seven feet away.

IAB Note: A sketch of the scene, and photographs are included in this case book. See **Exhibits E and F**.

As their patrol vehicle came to a stop, the deputies began to exit. Suspect Merritt suddenly opened his car door and exited the vehicle in a crouched position. As Suspect Merritt took several steps to the north, he reached down to the right side of his waistband with both hands, and turned towards Sergeant Regalado.

Fearing that the suspect had armed himself with a gun, and was retrieving the weapon, Sergeant Regalado fired two rounds from his duty weapon at the suspect. Suspect Merritt fell down, but quickly got back up on his feet. The suspect then began running northbound, through the driveway of [redacted] Oaks Street. Deputies Werner and De La Torre began chasing the suspect, but stopped when they saw the suspect jump the fence at the end of the driveway. Both deputies saw the suspect holding a black firearm, as he jumped over the fence. The suspect began running through several back yards in the neighborhood, in order to avoid being arrested. The second suspect, Witness [redacted] was taken into custody without incident.

IAB Note: It was later determined that Suspect Merritt was not struck by Sergeant Regalado's rounds. Deputies Werner and De La Torre chased the suspect approximately 20 feet, on the driveway of [redacted] Oaks Street. A Foot Pursuit Evaluation Form was completed and included in this case book. See **Exhibit G**.

Sergeant Regalado began coordinating units, via radio, to containment positions in the area. An Aero Bureau helicopter arrived and assisted in containing the area, and searching for the suspect. A team from the Special Enforcement Bureau, and K9 handlers, also responded and deployed. Approximately two hours after the shooting incident occurred, Suspect Merritt was found hiding in the back yard of [redacted] Suspect Merritt, and Suspect Witness [redacted] were arrested and booked for robbery. A subsequent search for the suspect's firearm was met with negative results.

IAB Note: Pine Street is located two streets north of Oaks Street (**Exhibit D**). Suspect Merritt was found, and bitten, by a dog from the Sheriff's Department's K9 Unit. The K9 Staff initiated a report detailing the circumstances surrounding Suspect Merritt's capture and arrest. The report also includes details of Suspect Merritt's injuries. A copy of that report is included in this case book. See **Miscellaneous Documents**.

Internal Affairs Bureau Lieutenant Stefanie Fredericks was notified, and Sergeants Carlos Flores and Eric Strong responded to conduct an administrative review of the incident. The following review is based on written documentation, interviews of witnesses, involved deputies, and medical staff.

IAB SHOOTING / FORCE TEAM

Lieutenant Stefanie Fredericks, Sergeant Carlos Flores, and Sergeant Eric Strong .

INVOLVED PERSONNEL

Regalado, Raul, Sergeant #[redacted] Compton Sheriff's Station Region II	MH/53	5-10	225	Right Handed

Date of Employment:	01-05-1983
Date Assigned to Patrol:	[redacted]
Date Completed Patrol Training:	
Prior Shooting Incidents:	Received six days suspension regarding an off duty shooting incident on July 15, 2008
Prior Founded Force Incidents:	[redacted]

SUSPECT

Merritt, Sean MB/21 5-09 220

The Consolidated Criminal History System reveals Suspect Merritt [redacted] He does not have any convictions in his record. He is an admitted member of the "Westside Piru" Gang, with a street moniker of "Lay Low."

IAB Note: Suspect Merritt's Criminal History Report is included in this report. See **Exhibit C**.

EMPLOYEE WITNESSES

Werner, John #[redacted] Deputy Sheriff

De La Torre, Braulio #[redacted] Deputy Sheriff

NON-EMPLOYEE WITNESSES

[redacted] MH/29, [redacted]

[redacted] MH/56, [redacted]

[redacted] MB/19, [redacted]

[redacted] FH/47, [redacted]

INJURIES

Suspect Merritt:

Dog Bite to right arm.

> **IAB Note:** A copy of the Use of Force Report, completed by the K9 Unit, is included in this case book. Photographs of Suspect Merritt's injuries are included in the report. See **Miscellaneous Documents.**

Deputy Personnel:

None.

PHYSICAL EVIDENCE

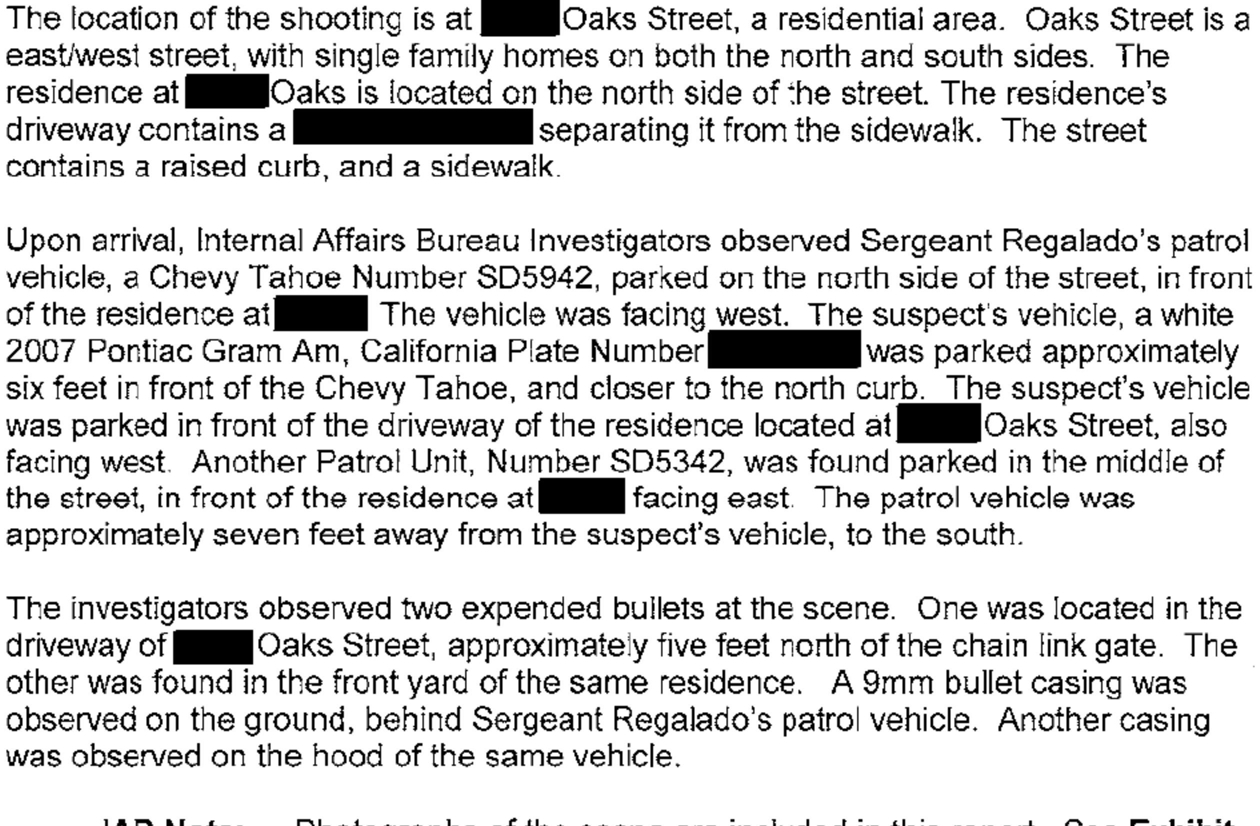
Two expended 9mm bullets were found in the driveway of [redacted] Oaks Street. Two 9mm bullet casings were also recovered. One casing was recovered on Oaks Street, in front of the residence located at [redacted] The other casing was recovered from the hood of Sergeant Regalado's patrol vehicle.

> **IAB Note:** For a complete listing of physical evidence collected at the scene, see **Exhibit E.**

DISTANCE

Twenty to thirty feet.

INVESTIGATOR OBSERVATIONS



The location of the shooting is at [redacted] Oaks Street, a residential area. Oaks Street is a east/west street, with single family homes on both the north and south sides. The residence at [redacted] Oaks is located on the north side of the street. The residence's driveway contains a [redacted] separating it from the sidewalk. The street contains a raised curb, and a sidewalk.

Upon arrival, Internal Affairs Bureau Investigators observed Sergeant Regalado's patrol vehicle, a Chevy Tahoe Number SD5942, parked on the north side of the street, in front of the residence at [redacted] The vehicle was facing west. The suspect's vehicle, a white 2007 Pontiac Gram Am, California Plate Number [redacted] was parked approximately six feet in front of the Chevy Tahoe, and closer to the north curb. The suspect's vehicle was parked in front of the driveway of the residence located at [redacted] Oaks Street, also facing west. Another Patrol Unit, Number SD5342, was found parked in the middle of the street, in front of the residence at [redacted] facing east. The patrol vehicle was approximately seven feet away from the suspect's vehicle, to the south.

The investigators observed two expended bullets at the scene. One was located in the driveway of [redacted] Oaks Street, approximately five feet north of the chain link gate. The other was found in the front yard of the same residence. A 9mm bullet casing was observed on the ground, behind Sergeant Regalado's patrol vehicle. Another casing was observed on the hood of the same vehicle.

IAB Note: Photographs of the scene are included in this report. See **Exhibit F**. A sketch of the scene, and evidence legend is also included, see **Exhibit E.** It was determined that Sergeant Regalado's rounds struck a metal lawn chair and table, which had been placed in the front yard of the residence at [redacted] Oaks Street.

REVIEW OF RADIO TRANSMISSIONS

The Internal Affairs Investigator reviewed the radio broadcast during the incident. On the recording Sergeant Regalado is heard requesting emergency clearance (10-33). Sergeant Regalado can then be heard advising that he is detaining suspects in a vehicle at gunpoint, and he states the vehicle's license plate number.

Sergeant Regalado is heard giving his position, advising that he is two streets north of "Short and Golden." He also advises that he is facing westbound. Assisting deputies are then heard that they are responding. Sergeant Regalado then advises that the

suspect vehicle contains two black males.

> **IAB Note:** During his interview, Sergeant Regalado said he was familiar with the area, but was not sure of the name of the street he was on. The incident occurred on Oaks Street, one street north of Golden Street.

Sergeant Regalado asks if an Aero Unit is available, and the dispatcher advises that "Aero is down." Sergeant Regalado then advises that the right front passenger is being uncooperative. Sergeant Regalado inquires on whether he is on "the patch." He then advises the unit that he saw traveling south to turn back around.

> **IAB Note:** During his interview, Sergeant Regalado advised that while detaining the suspects, he observed a sheriff's patrol vehicle traveling south on Short Avenue. He said he advised the unit to turn around and go north. That unit was Unit 287, Deputies Werner and De La Torre.

Deputy Werner, Unit 287, is heard advising Sergeant Regalado that he can not see him. Sergeant Regalado advises that he is north of Golden Street, facing westbound. Sergeant Regalado is heard telling Deputy Werner that he is between Pine Street and Golden Street.

After several seconds, Sergeant Regalado advises that shots have been fired, and that the suspect is running north on Short Avenue. Sergeant Regalado then advises that the suspect has jumped over the fence, and that there are two deputies in foot pursuit. Sergeant Regalado begins to advise where he wants assisting units to position themselves in order to contain the area. He also requests for Century Station units to respond. Sergeant Regalado again requests for an Aero Unit, and the dispatcher advises that they are responding.

The Aero Unit deputies can then be heard coordinating units to containment positions, and other deputies advise that informants have advised them of where the suspect was last seen. After several minutes of coordinating the containment, the units request a tactical channel.

> **IAB Note:** A Compact Disc, containing a recording of the emergency radio traffic, is included in this report. See **Exhibit H**.

LIGHTING AND WEATHER CONDITIONS

The shooting occurred on a clear morning at 0920 hours.

WEAPONS USED BY DEPUTY PERSONNEL

Sergeant Regalado:

Service Weapon Type:	Beretta 9mm Semi-Automatic
Rounds Fired:	Two
Type of Ammunition Used:	Department Issued Luger (Win) Ranger SXT 147gr.
Date Employee Last Qualified:	[redacted]

WEAPONS USED BY SUSPECT

No weapon was recovered at the scene.

PROPERTY DAMAGE

A lawn chair and table with metal frames were struck by Sergeant Regalado's rounds.

IAB Note: Photographs of the lawn chairs are included in this case book. See **Exhibit F**.

CRIMINAL INVESTIGATOR/CHARGES FILED

Investigators: Operation Safe Streets - Detective Gail Durham #[redacted]

Charges: Grand Theft Person, 487(c)PC

IAB Note: On November 19, 2010 the District Attorney's Office (Compton Court) filed one count of Grand Theft Person 487 (c) PC against Suspect Merritt. Case Number TA115393. On December 6, 2010 Suspect Merritt pleaded guilty, and was sentenced to 12 days in the county jail, 3 years probation, and 30 days community service.

INVOLVED EMPLOYEE STATEMENTS

Involved Sergeant Raul Regalado was interviewed at the **Internal Affairs Bureau** by Sergeants Carlos Flores and John Rossi, on November 30, 2010 at 1005 hours. He was represented by Attorney Helen Schwab. The interview was digitally audio recorded.

Sergeant Regalado's statement and description of the incident during this interview was essentially the same as he provided on his Supplemental Report. After his description of the incident, he answered questions relative to tactics and training.

IAB Note: During his interview Sergeant Regalado advised that he had mistakenly wrote "Golden Street" as the location of occurrence. He stated that the correct street name is Oaks. A copy of Sergeant Regalado's Supplemental Report is included in this case book. See **Exhibit B, Page 1**. An additional report was written by Sergeant Regalado, correcting the error with the street name. See **Exhibit B, Page 3**.

Sergeant Regalado said he was traveling south on Long Beach Boulevard when he saw Suspect Merritt running southbound, away from a business located at Long Beach Boulevard and Oaks Street. He said that the suspect was running at a high rate of speed, and he (Sergeant Regalado) believed the suspect had just committed a robbery.

Sergeant Regalado said he observed the suspect run south on Long Beach Boulevard, and then turned west on Oaks Street. He said the suspect ran to a car parked on the north curb, and entered the front passenger side. Sergeant Regalado said the vehicle then traveled west at a high rate of speed. He said he turned west on Oaks Street and followed behind the vehicle. He said the suspect's vehicle was forced to slow down, due to a large trash truck traveling slowly in front of it. He said that because the vehicle slowed down, he caught up to it very quickly, and he decided to activate his lights and siren.

Sergeant Regalado said that the suspect's vehicle pulled over and stopped. He said he detained the suspects at gunpoint, and initiated emergency radio traffic, requesting deputies to his location. He said that while waiting for his assisting units, he shouted to the suspects to put their hands up, and to keep them up. He said he shouted his commands several times. Sergeant Regalado said the two suspects initially cooperated, but the passenger soon became uncooperative.

Sergeant Regalado said the passenger began moving around and dropping his hands. He said he shouted to the suspect to stop moving and to keep his hands up, but the suspect continuously moved around. Sergeant Regalado said that based on the suspects movements, he believed he was either hiding something or retrieving a weapon.

Sergeant Regalado said that he saw deputies Werner and De La Torre arrive, traveling east on Oaks Street. He said that it did concern him that the deputies had arrived traveling east, but they arrived south of his location, and not in his field of fire. He said that upon the deputies' arrival, Suspect Merritt exited the suspect's vehicle and took several steps to the north. He said that the suspect crouched down, reached towards his waistband, and turned towards him. Sergeant Regalado said that fearing the suspect had retrieved a firearm and was going to shoot him, he fired two shots at the suspect.

IAB Note: An examination of Sergeant Regalado's firearm indicated he had shot a total of two rounds. Two expended, 9 MM, casings were recovered at the scene. Sergeant Regalado's firearm was submitted to the Scientific Services Bureau staff for testing. The test results are included in this case book. See **Miscellaneous Documents**.

Sergeant Regalado said that he was standing behind the engine block of his patrol vehicle when he fired his shots. He said that he fired in a "point and shoot" manner, due to how fast the incident occurred. Sergeant Regalado said he saw the suspect fall down, but quickly got back up to his feet. He said the suspect turned away and began running north through the driveway of the residence. Sergeant Regalado said he quickly moved towards the suspect's vehicle and detained the driver. He said he then saw Deputies Werner and De La Torre run after the suspect north through the driveway. Sergeant Regalado said he saw the deputies stop their pursuit after the suspect jumped a fence.

Sergeant Regalado said he began coordinating units to containment positions, and requested an Aero Unit, and Century Station personnel.

IAB Note: Recordings of the emergent radio traffic is included in this report. See **Exhibit H**. During his interview, Sergeant Regalado was shown a sketch, and an aerial photograph of the location. Sergeant Regalado was asked to mark his, and the suspect's position, when the shooting occurred. See **Miscellaneous Documents**.

For his complete statement refer to Sergeant Regalado's interview transcript.

EMPLOYEE WITNESSES

Werner, John #[redacted]

Witness Deputy Werner was interviewed by Internal Affairs Bureau Sergeants Carlos Flores and Eric Strong, on December 1, 2010, at 0615 hours. The interview was conducted at the Compton Sheriff's Station, and was digitally audio recorded. Deputy Werner's statement and description of the incident during this interview was essentially the same as he provided on his Supplemental Report.

IAB Note: Deputy Werner's Supplemental Report is included in this case book. See **Exhibit B, Page 6**.

Deputy Werner stated that he and his partner, Deputy De La Torre, responded to Oaks Street due to an assistance request by Sergeant Regalado. He said that initially there was some confusion as to the sergeant's exact location, but they eventually found him on Oaks Street. He said that Sergeant Regalado was facing west, and they arrived facing east. He said that they did not put themselves in crossfire danger due to the fact that Sergeant Regalado was detaining the suspects in a northwest direction.

Deputy Werner said his partner stopped their vehicle approximately 15 feet away from the suspect's vehicle. He said that upon stopping the vehicle he began to exit. He said he saw that the suspect in the passenger side of the suspect's vehicle also exited, and ran towards a driveway to the north.

Deputy Werner said that as the suspect ran, he reached into his waistband, and turned towards Sergeant Regalado. He said that based on the suspect's actions, he (Deputy Werner) believed he was reaching for a firearm. He said he then saw and heard Sergeant Regalado shoot at the suspect. Deputy Werner said he did not shoot at the suspect due to the position of the suspect's vehicle, and the fact that he did not have a clear shot.

Deputy Werner said that he saw the suspect fall to the ground, but quickly get back up. He said the suspect then ran north through the driveway of the residence. Deputy Werner said he saw the sergeant approach their position and he heard him say "I got him," meaning he was covering the suspect still inside the vehicle. Deputy Werner said he and Deputy De La Torre began chasing Suspect Merritt, and heard Sergeant Regalado broadcast that they were involved in a foot pursuit.

Deputy Werner said he saw the suspect jump over the fence in an east direction. He said he saw the suspect holding on to a firearm in his right hand as he jumped over. Deputy Werner said he and Deputy De La Torre immediately stopped their foot pursuit when they lost sight of the suspect.

Deputy Werner said that he never positioned himself in Sergeant Regalado's field of fire. He said that based on the suspect's actions, Sergeant Regalado's force was appropriate.

IAB Note: During his interview, Deputy Werner was shown a sketch of the shooting scene. He was asked to mark his, Sergeant Regalado's, Deputy De La Torre's, and the suspect's position when the shooting occurred. See **Miscellaneous Documents**.

For his complete statement refer to Deputy Werner's interview transcript. For additional information refer to his Supplemental Report.

De La Torre, Braulio #[redacted]

Witness Deputy De La Torre was interviewed by Internal Affairs Bureau Sergeants Carlos Flores and Eric Strong, on December 1, 2010, at 0700 hours. The interview was conducted at the Compton Sheriff's Station, and was digitally audio recorded. Deputy De La Torre's statement and description of the incident during this interview was essentially the same as he provided on his Supplemental Report.

> **IAB Note:** Deputy De La Torre's Supplemental Report is included in this case book. See **Exhibit B, Page 4**.

Deputy De La Torre stated that he and his partner, Deputy Werner, responded to Oaks Street due to Sergeant Regalado requesting assistance. He said that initially they had difficulty finding the sergeant's position because Golden Street was mentioned on the radio. He said that they eventually found the sergeant's and the suspect's vehicles on Oaks Street.

Deputy De La Torre said they arrived at the location traveling eastbound. He said that though the sergeant was facing west, he felt is was important to get there quickly. He said that in order to arrive behind the sergeant's vehicle they would have had to drive completely around the block. Deputy De La Torre said that they stopped their vehicle approximately 15 feet away from the suspect's vehicle, facing east. He said he does not believe his position caused him to enter Sergeant Regalado's "field of fire," due to the fact that Sergeant Regalado was facing in a northwest direction. He said he did not believe they were in any "crossfire" danger.

Deputy De La Torre said that immediately upon their arrival, the suspect in the passenger seat exited the vehicle and ran in a north direction. He said that as the suspect ran, he (suspect) reached into his waistband, and turned in Sergeant Regalado's direction. Deputy De La Torre said that he believed the suspect was retrieving a weapon, but due to the position of the suspect's vehicle he did not have a clear shot at the suspect. Deputy De La Torre said that if he would have had a "clear angle," he would have shot the suspect.

Deputy De La Torre said that he saw and heard Sergeant Regalado shoot two times at the suspect. He said he saw the suspect fall to the ground, but he quickly got up and ran north through the driveway of the residence. He said that he focused on the suspect who was driving the vehicle, but was quickly relieved by Sergeant Regalado. He said he and Deputy Werner then began running after the suspect.

Deputy De La Torre said he did not start running after the suspect until after he saw Sergeant Regalado covering the suspect inside the vehicle. He said that he never put himself in Sergeant Regalado's "Field of fire." Deputy De La Torre said that as he began chasing the suspect, he heard Sergeant Regalado state on the radio that they

were involved in a foot pursuit. He said that as they ran up the driveway, he saw the suspect jump over the fence, in an east direction. He said that as the suspect jumped the fence, he saw that the suspect had a gun in his right hand.

Deputy De La Torre said that he lost sight of the suspect, thus he immediately stopped his foot pursuit. He said he then heard that somebody was coordinating responding deputies to containment positions. Deputy De La Torre said that based on the suspect's actions, Sergeant Regalado's force was appropriate.

IAB Note: During his interview, Deputy De La Torre was shown a sketch of the shooting scene. He was asked to mark his, Sergeant Regalado's, Deputy Werner's, and the suspect's position when the shooting occurred. See **Miscellaneous Documents**.

For his complete statement refer to Deputy De La Torre's interview transcript. For additional information refer to his Supplemental Report.

CIVILIAN WITNESSES

The residential neighborhood near the shooting scene, on Oaks Street, was canvassed for any potential witnesses. The area was canvassed by deputies from Compton Station.

Several of the residents stated they heard gunshots, but did not actually witness the shooting or had any knowledge of the circumstances surrounding the incident. The names of the residents contacted, and a summary of their interviews, are included on Supplemental Reports. Only four witnesses were found to have witnessed all or portions of the incident.

IAB Note: Supplemental Reports detailing potential witnesses contacted are included in this report. See **Exhibit B, Pages 9-13.**

[redacted] MB/19

[redacted] is a 19 year old male, who resides in the city of Compton. He is a member of the "Westside Piru" Gang, and was the driver of the suspect vehicle when the incident occurred. He was interviewed by Detective Gail Durham on November 18, 2010. The interview was digitally audio recorded.

Witness [redacted] said he was giving Suspect Merritt a ride, and he asked him to stop at a liquor store. He said he dropped off Suspect Merritt, and parked his vehicle on Oaks Street. He said Suspect Merritt returned to the vehicle, but he did not know he had committed a robbery. Witness [redacted] said he then continued on Oaks Street, and was stopped by a deputy.

Witness [redacted] said that he complied with the deputy's orders and kept his hands up. He said Suspect Merritt exited the vehicle, and he (Witness [redacted]) heard gunshots. He said he "ducked" his head when he heard the shots. Witness [redacted] said he did not know if Suspect Merritt was in possession of a firearm.

IAB Note: Detective Durham summarized her interview with Witness [redacted] in a Supplemental Report. A copy of that report is included in this case book. See **Exhibit B, Page 15**. Witness [redacted] was also arrested and booked for Robbery.

[redacted] MH/29

Witness [redacted] was initially interviewed by Deputy Peter Tovar #[redacted] on November 17, 2010. Deputy Tovar summarized the interview on a Supplemental Report.

IAB Note: Deputy Tovar's Supplemental Report is included in this case book. See **Exhibit B, Pages 11-13**. In his report, Deputy Tovar erroneously identified Witness [redacted] residence address as [redacted] Witness [redacted] correct address is [redacted] the [redacted]

Witness [redacted] was again interviewed by Internal Affairs Bureau Sergeant Carlos Flores on December 1, 2010. The interview was conducted at Witness [redacted] home, and was digitally audio recorded. Due to Witness [redacted] limited knowledge of the English language, the interview was conducted in Spanish. Sergeant Flores is fluent in the Spanish language.

Witness [redacted] reiterated what he had told Deputy Tovar. He said his attention was drawn to the front of his home due to the patrol unit's overhead lights, and hearing Sergeant Regalado shout commands to the suspects in the vehicle. Witness [redacted] said he heard Sergeant Regalado shout commands to the suspects several times, and in a very loud voice. He said he understood the sergeant telling the suspects to keep their hands up.

Witness [redacted] said he saw the front passenger in the suspect's vehicle initially raise his hands, but lowered them down, and refused to comply with the sergeant's orders. He said that the suspect opened the vehicle door and stepped towards the [redacted] located at the driveway of his residence. Witness [redacted] said he then heard two gunshots and he (Witness [redacted]) quickly took cover.

Witness [redacted] said the suspect ran through his driveway and out of view, but because he (Witness [redacted]) had taken cover, he is unsure where the suspect went. He said that he saw two deputies initially chase the suspect, but stopped at the

driveway. Witness [redacted] said he then saw other patrol cars arrive. Witness [redacted] said he did not see a firearm, and does not know why the sergeant fired. He said that from his position, it appeared that the suspect ran directly towards the gate of his driveway.

IAB Note: Witness [redacted] showed Sergeant Flores from where in his home he observed the incident. Witness [redacted] utilized the window located in living room of his home. The window provides a direct view to the street and front yard of his home.

[redacted] MH/56

Witness [redacted] was initially interviewed by Deputy Miguel Fuentes # [redacted] on November 17, 2010. Deputy Fuentes summarized the interview on a Supplemental Report.

IAB Note: Deputy Fuentes' Supplemental Report is included in this case book. See **Exhibit B, Pages 9-10**.

Witness [redacted] was again interviewed by Internal Affairs Bureau Sergeant Carlos Flores on December 1, 2010. The interview was conducted at [redacted] and was digitally audio recorded. Due to Witness [redacted] limited knowledge of the English language, the interview was conducted in Spanish. Sergeant Flores is fluent in the Spanish language.

Witness [redacted] reiterated what he had told Deputy Fuentes. He said he was sitting in his parked vehicle, in front of [redacted] waiting for his [redacted] He said his [redacted] works at that residence, caring for the elderly women who lives there. He said he saw the suspect's vehicle traveling west on Oaks Street, and was forced to slow down due to a large truck on the street. He said he saw the police vehicle driving behind the suspect's vehicle, and initiate a traffic stop.

Witness [redacted] said the suspect and deputy stopped their vehicles across the street, and slightly to the west from where he was parked. He said he then heard the sergeant shout commands to the suspects to keep their hands up. Witness [redacted] said he had to turn his head to the left, and back, in order to see what was occurring. He said he watched for a short while, and then turned his head and faced forward. He said he got distracted, and was unaware of what was occurring with the traffic stop. Witness [redacted] said he suddenly heard gunshots. Witness [redacted] said he did not see what transpired when the actual shooting occurred.

IAB Note: During the interview Witness [redacted] showed Sergeant Flores the position of his vehicle when the incident occurred. His description of where his vehicle was parked is consistent with crime scene photographs (**Exhibit F**). Witness [redacted] vehicle is a black 2004 Dodge Durango, License Plate Number [redacted]

[redacted] FH/47

Witness [redacted] is a 47 year old female who resides at [redacted] Her home is [redacted] of where the shooting occurred. She was interviewed by Deputy Tovar on November 17, 2010. Deputy Tovar summarized his interview with Witness [redacted] in a Supplemental Report (**Exhibit B, Page 11**).

Witness [redacted] stated that she heard Sergeant Regalado telling the front passenger to show his hands. She said the passenger was not complying with the sergeant's orders. She said the front passenger jumped out of the suspect's vehicle, and she then heard two gunshots. Witness [redacted] said she then saw the suspect run out of view.

IAB Note: Deputy Tovar erroneously states on his report that Witness [redacted] saw the suspect run through the yard of [redacted] Witness [redacted] lives on Oaks Street, and Pine Street is two street to the north of her residence. It is likely that the witness believed she saw the suspect running through the yard of [redacted] The error was brought to the attention of the handling detective, Gail Durham. Several attempts were made by Internal Affairs Investigators to re contact Witness [redacted] The attempts were met with negative results.

SUSPECT'S STATEMENTS

Suspect Sean Merritt was interviewed by Detectives Gail Durham and [redacted] assigned to the Operations Safe Street Bureau. The interview was conducted at the Compton Station, and was digitally audio recorded. Suspect Merritt refused to answer any questions and requested an attorney.

IAB Note: Due to Suspect Merritt invoking his rights, he was not contacted by Internal Affairs Bureau investigators.